

City of Charlotte Rezoning Packet As of July 1, 2019

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I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #:
Date Filed:
Received By:

Complete All Fields (Use additional pages if needed)	
Property Owner: Carolina Builders LLC	
Owner's Address: 6711 Larrissa Court	City, State, Zip: Charlotte, NC 28226
Date Property Acquired: 08/08/19	
Property Address: 13701 Erwin Road Charlotte, NC 28273	3
Tax Parcel Number(s): 20122113	
Current Land Use: Single Family Residential	Size (<u>Acres</u>): 3.90
Existing Zoning: R8-MF(CD)	Proposed Zoning: R-8-MF(CD)
Overlay: N/A:N/A	Tree Survey Provided: Yes:XX
Required Rezoning Pre-Application Meeting* with:YES_ Date of meeting:12/3/19	
(*Rezoning applications will not be processed until a requir	ed pre-application meeting with a rezoning team is held.)
Purpose/description of Conditional Zoning Plan:	
Paul Carter for EastLake Engineering Name of Rezoning Agent	Rama Yada for Carolina Builders LLC Name of Petitioner(s)
470 N Broad Street, Suite A Agent's Address	Address of Petitioner(s)
Mooresville, NC 28115 City, State, Zip	Charlotte, NC 28226 City, State, Zip
865-816-4557 Telephone Number Fax Number	704-287-6252 704-405-5975 Telephone Number Fax Number
pcartertn@yahoo.com E-Mail Address	ramayada@gmail.com E-Mail Address Can Can Can Can Can Can Can C
Signature of Property Owner	Signature of Petitioner
Rama Yada (Name Typed / Printed)	Rama Yada (Name Typed / Printed)

II. Rezoning Application Checklist

PRE-SUBMITTAL REQUIREMENTS:

Any Petitioner filing for rezoning is required to discuss the proposal with a Charlotte Planning, Design &



Development Department, Rezoning Team members within six months of filing of the petition. To schedule a pre-submittal meeting go to www.rezoning.org and click on the image to the left, fill out the form and submit. You will then be contacted regarding a pre-submittal meeting.

SUBMITTAL REQUIREMENTS:

Upon submittal of the petition, all required items must be verified by the rezoning gatekeeper before an application is considered completed and filed for processing. Incomplete applications can be returned to the petitioner (see Section 6.202). No applications will be accepted after the closing deadline for each month's cases. There is a limit of 16 cases per month. Case submitted after the limit, if complete, will be counted toward the next month's case load.

All petitions:

- 1. Two signed official applications;
- 2. If only a portion of a lot is being rezoned, and/or if the rezoning boundaries do not follow property lines, and/or if there is more than one requested zoning classification that does not follow a property line; submit a survey map delineating the property or area in question;
- 3. A tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. Tree survey may be completed by landscape architect, surveyor, or other land development professional. See Section 2191 of the Tree Ordinance. (This is not required for detached single family residential).
- 4. Filing Fee (see fee schedule on page 6).

Conditional Petitions Only:

- A. Items 1-4 above
- B. All property owners must sign the conditional rezoning application.
- C. If the request is for a site plan amendment (SPA), a list of changes to the site plan must be provided.
- D. A site plan must accompany each conditional rezoning application and be submitted as follows (If you are not able to provide this information, please contact the Planning Department at 704-336-2205):
 - •drawn to scale
 - •a maximum size of 24" x 36"
 - •one (1) copy, folded to 81/2" x 11"
 - •a digital version on R-CD (PDF format) of a site plan with an 8 ½ x 11 copy included
 - •a "Word" version of the site plan notes on the CD
- E. A "determination" letter as to the presence of jurisdictional Wetlands on the site may be needed. If one is required, it will be listed in the "site plan comments" and sent to the petitioner from a rezoning team member. The petitioner will be notified if one is required. If not provided by the date of the Public Hearing, the Public Hearing will be automatically deferred to the next Council-zoning meeting.

For Staff Use:		
(Circle One) Complete	Incomplete	Staff signature and date
		ne contacted with a deadline to provide the required information. If the petition will not be processed.

III. Process Information

The time frame for rezoning is dependent upon the complexity of the rezoning petition. After an application has been accepted there are three (3) meetings for conventional rezoning petitions and four (4) meetings for conventional rezoning meetings. The petitioner and/or his representative should attend each of these meetings. The meetings are as follows:

- Community meeting (only required for conditional petitions)
- City Council Public Hearing
- Zoning Committee Work Session
- City Council decision meeting

Optional Meeting:

• City Council Lunch briefing (on the day of the public hearing)

Overview (after pre-submittal meeting and formal application submittal)

- 1. **Submittal Date**: Planning staff accepts up to sixteen rezoning applications each month. The deadline for case submittal is the fourth Monday of each month. Cases which are not complete or do not meet ordinance requirements will be returned to the petitioner and resubmittal will be necessary.
- 2. **Initial Staff Review**: After submittal, City and County staff will perform a review of each case. Staff comments will be provided per the attached schedule. Subsequent reviews should not result in new comments, unless resulting from petitioner changes to the submittal.
- 3. **Meeting with Staff to Review Initial Comments**: After the initial review, a meeting may be scheduled with staff and petitioner to discuss comments, if needed. The meeting will focus on questions the petitioner has about comments, as well as discussion about potential ways to resolve staff concerns.
- 4. **Petitioner's Community Meeting (conditional petitions)**: The required community meeting for conditional/optional cases must be held within approximately two months of the original submittal (see the attached schedule) and the community meeting report must be included with the subsequent submittal. There is not a required community meeting for conventional cases or for text amendments.

5. Additional Full Reviews:

- a. After the initial submittal, the petitioner has two options for resubmittal. The petitioner may: 1) resubmit for an additional full review, or 2) submit an updated site plan and notes with a request to be scheduled for the next public hearing (see #6 below).
- b. It is not uncommon for cases to require more than one full review due to the complexity of the case or number of substantive issues. Additional full reviews must be submitted by the date on the attached schedule and, in most cases, staff comments will be provided to the petitioner in two weeks. If major revisions to the previous submittal are made, additional review time may be required.

6. Petitioner Requests to be Scheduled for Next Public Hearing:

- a. Staff will review the updated site plan to determine whether it meets the following:
 - Submittal is compliant with zoning and subdivision ordinance;
 - Transportation analysis (if required) submitted three months prior to requested hearing date, and analysis determined to be adequate by CDOT.
 - Small number of outstanding issues (typically five or less) and no foundational outstanding issues that will require site redesign. If staff and the petitioner have reached an impasse on an issue and cannot reach resolution, this issue will not be considered in the determination about whether a case is to be scheduled for hearing.
- b. Staff will inform petitioner about whether the case meets the criteria to be scheduled for public hearing. If a case does not meet the criteria, it will be scheduled for another full review.
- c. Even if a case meets the criteria to be scheduled for a public hearing, the petitioner may request a deferral of the case. The deadline for deferral prior to advertising for the public hearing is shown on the attached schedule.

- 7. **Public Hearing**: The City Council and Planning Commission's Zoning Committee attend the scheduled public hearing for each case. As part of the hearing, staff presents an overview of the case and staff's recommendation, and supporters and opponents of each case are given time to speak to the Council and Zoning Committee. On the day of the public hearing, there is an optional Lunch Briefing held for City Council. The public is invited to attend but may only comment if questioned by the Mayor or City Council. The meeting is at noon in the Uptown Conference Room on the 8th floor of the Government Center.
- 8. **Submittal for Zoning Committee Review**: The Planning Commission's Zoning Committee reviews each case and makes a recommendation to Council. An updated submittal for Zoning Committee review may be submitted after the public hearing for the case and by the deadline shown on the attached schedule.
- 9. **Zoning Committee Meeting**: The Zoning Committee meeting is not a public hearing, but it is recommended that the petitioner attend in case the Zoning Committee members have questions for the petitioner about the case.
- 10. City Council Decision: The City Council makes the final decision on each rezoning case.

Community Meeting Information

- a) When a Community Meeting is required, the City Council requests that a notice of that meeting be sent to them.
- b) A report on the community meeting with appropriate parties is required to be filed in the Charlotte City Clerk's Office a copy should also be sent to the rezoning planner assigned to the petition in accordance with the City of Charlotte Rezoning Schedule. Failure to meet the deadline will result in an automatic deferral of the public hearing.

Rezoning Applicants and Agents:

As a part of the conditional rezoning process, you are required to have a "community meeting" and submit a written report to the Office of the City Clerk. This meeting is instrumental in providing information to the public regarding your rezoning request. For this reason, the following should be considered when planning your meeting:

- Hold the meeting at 6:00 pm or later to allow citizens time to arrive after work or at a time that is suitable for the target audience. For example: if your adjacent property owners are located within an office park, a 5:00 pm meeting may be more appropriate.
- Hold the meeting in the community where the rezoning is located. If this is not possible, the meeting should be held in a location that is as close as possible to the area to be rezoned.
- Avoid holding the meeting on holidays.
- Invite your City Council representative.
- Mail out notices of the meeting no less than 10 days prior to the meeting.
- If no citizens attend your meeting, consider having a second meeting.

Attached is a copy of the Zoning Ordinance requirements for the meeting and an example of a community meeting report. If you have any questions about this process, please contact a rezoning staff member at 704-336-2205.

Site Plan Information

Notes:

- 1. Revised site plans (a PDF formatted version on an R-CD that is searchable) is due by 5:00 p.m., five weeks prior to the scheduled public hearing (see rezoning schedule) and should be emailed to Michel Russell (mrussell@charlottenc.gov) and the rezoning planner assigned to the petition. Failure to meet the deadline will result in a request for a one-month deferral of the public hearing.
- 2. Revised site plans (a PDF formatted version on an R-CD that is searchable) for the Zoning Committee meeting should be emailed to Michel Russell (mrussell@charlottenc.gov) and the rezoning planner assigned to the petition by 5:00 pm on the Monday following the public hearing (see rezoning schedule).

Fees

CITY OF CHARLOTTE REZONING FILING FEES:

Effective July 1, 2019

Rezonings are categorized as either conventional, conditional major or conditional minor as described below:

- Conventional rezonings will not require a site plan.
- Conditional Major rezonings will involve more than 10 acres of land and/or have traffic volumes of 2,500 trips per day or more.
- Conditional Minor rezonings will be for sites less than 10 acres or land and traffic volumes of less than 2,500 trips per day.

			General				
Type of Rezoning	Planning	Land Development	<u>Services</u>	CDOT	<u>Fire</u>	Clerk*	Total Fee
Conventional	\$ 2,550	\$ 1,110	\$ 255	\$ 870	\$ 35	\$270*	\$ 5,090
Conditional Minor	\$ 4,370	\$ 1,110	\$ 255	\$ 870	\$ 35	\$270*	\$ 6,910
Conditional Major	\$ 8,320	\$ 1,110	\$ 255	\$ 4,745	\$ 70	\$ 270*	\$ 14,770

Fee due upon submittal of application, payable by check or money order to the City of Charlotte

To check the status of a Rezoning Petition, please visit our Web Site: www.rezoning.org

^{*} If the petitioner defers their Rezoning Petition more than once after the initial Public Hearing has been advertised by the City Clerk's Office, there will be a \$270 fee for each additional advertisement.

IV. Site Plan Note Format (Conditional Petitions Only)

Site plan notes on conditional plans are required to be organized as indicated below. Site plans should contain heading and each item following it. If the item is not applicable, it should be noted as such.

For example:

1. Development Data Table

- a. Site Acreage: 5.0
- b. Tax Parcels included in Rezoning: xxx-xx-xxx
- c. Existing Zoning (including overlays and vesting): I-1
- d. Proposed Zoning (including overlays and vesting): I-2
- e. Existing and Proposed Uses: All uses in I-2
- f. Number of Residential Units by Housing Type: NA
- g. Residential Density: NA

The following items should be included in the site plan notes (and shown on the drawing when applicable). There may be other items that are not listed but are appropriate for inclusion.

1. Development Data Table (items may need to be supplemented with additional notes or site plan annotation)

- a. Site Acreage
- b. Tax Parcels included in Rezoning
- c. Existing Zoning (including overlays and vesting)
- d. Proposed Zoning (including overlays and vesting)
- e. Number of Residential Units by Housing Type
- f. Residential Density
- g. Square footage of Non-Residential Uses by Type (retail, office, industrial, etc.)
- h. Floor Area Ratio
- i. Maximum Building Height
- j. Maximum Number of Buildings
- k. Number and/or Ratio of Parking Spaces
- Amount of open space

2. General Provisions

- a. Note addressing applicability of ordinances
- b. Note that alterations to the conditional plan are subject to Section 6.207 Alterations to Approval.

3. Optional Provisions (applicable only for proposed zoning to UMUD-O, MUDD-O, PED-O, TOD-O, or TS-O)

a. Listing of all optional provisions

Note: All optional provisions to standards should be listed in this section and shown under the applicable heading below.

4. Permitted uses

- a. Allowed uses or prohibited uses
- b. Other Use Restrictions

5. Transportation

- a. Dedication and reservation of street right-of-way to City/ NCDOT
- b. Transportation Improvements constructed in conjunction with development

6. Architectural Standards

- a. Building Materials
- b. Building Scale
- c. Treatment of urban design and architectural elements, such as street walls, building entrances, canopies and balconies
- d. Fence/Wall standards

7. Streetscape and Landscaping

- a. Streetscape (sidewalk and planting strip) standards
- b. Special landscape, buffer, screening treatment

8. Environmental Features

- a. Proposed Tree save areas
- b. Proposed PCSO treatment areas
- c. Environmental provisions per Environmental General Development Policies (reference the EGDP in packet)

9. Parks, Greenways, and Open Space

- a. Reservation/Dedication of park and/or greenway
- b. Park and/or greenway improvements
- c. Connections to park and/or greenway
- d. Privately constructed open space

10. Fire Protection

a. Fire lane treatment

11. Signage

a. Sign limitations - size, type, location if different from ordinance requirements

12. Lighting

- a. Limitations on type or location of lighting
- b. Location and height of special lighting, such as pedestrian scale lighting

13. Phasing

a. Development phasing by use, area and/or square footage and trigger for each phase

14. Other

- a. Indicate if a request for right-of-way abandonment or a variance has been submitted for the subject property. Such request may need approval prior to a City Council vote on the rezoning.
- b. Property corner tie points for mapping
- c. Public facilities/sites to be provided
- d. Proposed dumpster locations
- e. Provision of public art
- f. Underground utilities
- g. Other conditions not previously listed.

The following items should be shown on site plan drawing. There may be other items that are not listed but are appropriate for inclusion:

1. General

- a. Date of site plan
- b. Rezoning petition number (added to revised site plan)
- c. Vicinity Map
- d. North arrow
- e. If more than one zoning district is requested, the zoning boundary should be clearly identified and labeled
- f. Topography at four-foot contour intervals or less (existing and, in some cases proposed).
- g. All existing easements, reservations and rights-of-way
- h. Surface Water Improvement and Management ("SWIM") buffers and delineation of areas within the regulatory floodplain as shown on the Official Flood Hazard Boundary Maps for Mecklenburg County

2. Specific to the proposed development

- a. All yards, buffers, screening, and landscaping required or proposed
- b. Areas designated for structures and/or parking (surface or deck to be noted)
- c. The location of existing and proposed storm drainage patterns and facilities intended to serve the proposed development
- d. Proposed treatment of any existing natural features
- e. Building elevations (if provided)
- f. Public or private streets labeled
- g. Transit facilities
- h. Location of proposed bike/pedestrian improvements
- i. Location of existing and proposed thoroughfares

VI. 2019 City of Charlotte Rezoning Schedule: January 2019 through December 2019 Submittals (Updated 6-13-19)

All dates and times are subject to change.

See www.rezoning.org for larger version of schedule.

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VI. Example of Community Meeting Report

COMMUNITY MEETING REPORT Petitioner: ABC Development, LLC Rezoning Petition No. 2019-000

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time, and location of the Community Meeting to the individuals and organizations set out on <u>Exhibit A</u> attached hereto by depositing such notice in the U.S. mail on (Date). A copy of the written notice is attached hereto as <u>Exhibit B</u>.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on (Day and Date) at (Time) at (Name of place meeting was held and address).

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Community Meeting by (list all persons present representing the petitioner).

SUMMARY OF PRESENTATION/DISCUSSION:

Example of minutes: The Petitioner's agent, (Name), welcomed the attendees and introduced the Petitioner's team. (Petitioner's agent) indicated that the Petitioner proposed to rezone an approximately (acreage) site (the "Site") (location) from the (zoning district) to (zoning district). The (agent) explained the rezoning process in general and stated that the purpose of the meeting was to discuss the rezoning request and the conditional site plan and respond to questions and concerns from nearby residents and property owners.

(A team member) provided background information about the Petitioner's experience and the typical operation of its facilities. He/she then presented the site plan and pointed out various commitments made by the Petitioner. (A team member) showed proposed architectural elevations and discussed the design of the proposed facility. He/she used the elevations and renderings to explain the facility's design concepts, and operations.

(Detailed minutes of the conversation about the rezoning should be provided including questions, responses and any commitments made by the petitioner.)

Respectfully submitted, this (Date) day of (Month), (2019).

cc: Charlotte Planning, Design & Development Department – Rezoning staff

Pet. No.	FirstName	LastName	OrgLabel	MailAddres	MailCity	MailState	MailZip
2019-000							
2019-000							
2019-000							
2019-000							
2019-000							
2019-000			List of Property Owners				
2019-000			Provided by the Charlotte				
2019-000			Planning, Design and				
2019-000			•				
2019-000			Development and Based on				
2019-000			Current Tax Records and				
2019-000			Neighborhood Organization List				
2019-000							
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NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Subject:

Community Meeting - Rezoning Petition filed by ABC Development, LLC to

rezone approximately XX acres located XX to allow development of a XX.

Date and Time of Meeting:(Day), (Month/Date/Year) at (Time).

Place of Meeting: (Name of facility and address)

Petitioner: ABC Development, LLC

Petition No.: 2019-000

We are assisting ABC Development, LLC (the "Petitioner") with a Rezoning Petition filed with the Charlotte Planning, Design & Development Department seeking to rezone an approximately XX-acre site (the "Site") located (location) from the XX zoning district to XX zoning district. The purpose of the rezoning is to permit the development of (describe proposed development).

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition to discuss this rezoning proposal with nearby property owners and organizations. The Charlotte Planning, Design and Development Department's records indicate that either you are a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on (Day, Date, Time, and Location). The Petitioner's representative's look forward to sharing this rezoning proposal with you and to answering any questions, you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call (contact person and phone number).

cc: (City Council representative)

Date Mailed: XXX



Community Meeting Sign-In Sheet Petitioner: ABC Development Rezoning petition Number 2019-000 Date

Name	Address	Phone	Email

*Complete, sign, and attach this form to your electronic HDC application in Accela Citizen Access

CHARLOTTE HDC COA APPLICATION Required Signature and Submission Materials Checklist

V	Drawings, literature, specifications, photographs, or similar for all major ne windows, doors, siding, trim, louvers, shutters, and roofing. Relate informat materials, sizes, and appearance of new elements do not match the existing	tion to the Guidelines as much as possible. If
V	Detail on drawings all materials used and their dimensional and property chas much as possible.	naracteristics. Relate information to the Guideline
V	Identify on drawings where any existing materials and architectural feature	s will be removed or replaced.
V	Clear photographs of project site and all elevations of the existing structure	e(s).
Ad	lditional Requirements:	
Ac	cessory Structures, Additions, Landscape & Site Improvements, an	d New Construction Applications
V	Site Survey – Applications for significant additions and all new construction following information: Lot dimensions, existing structures, existing setback unique site features, fences, walls, easements, public rights of way, utilities	and yard lines, topography lines, mature trees,
V	Site Plan – The site plan must include: All structures (existing and proposed wall), yard dimensions, driveways and alleys, tree protection and/or tree recoverage. Provide a grading plan where site slopes affect the project significant significant structures.	moval, HVAC location(s) and percentage of lot
V	Elevations – Building elevations must include dimensions, material notes, v foundation height, porch details and other relevant information as requested proposed addition must be clearly shown. The plans must clearly identify the dashed lines.	ed. For additions, the existing structure and
V	Context Photographs – Provide photos of the surrounding context (structu Include photos of other properties in the District with similar design and/or design. Property address should be identified for each photo of District pro	feature(s), if any, or other photos to explain
V	Streetscape – Applications for new construction, including new garages on streetscape elevations showing the proposed project with existing adjacent applies to building additions that are taller or wider than the existing proper	t buildings and height dimensions. The same
V	Architectural Details – Detailed drawings for wall section(s), windows, roof other information may be requested by the Commission as a condition of formation of the commission as a condition of the co	
De	emolition Applications	
	In local historic districts, demolition is a grave matter. Once razed, a historic will represent a loss not only of the structure itself, but its removal will chabe considered as a last resort after all other reasonable options have been may be subject to a 365 Day Stay of Demolition. Such requests will be given Commission. Provide the following information, at a minimum, with the Applications.	nge the rhythm of the streetscape. Demolition wil exhausted. Demolition of a contributing structure n considerable and detailed review by the staff and
	Photographs - High quality photographs of the existing property, all sides, i	nterior spaces and adjacent properties.
	Structural Report – Provide a certified report by a professional engineer th at repair, and identifies any structural issues that are present.	at documents the condition of property, attempts
	operty Address: 13701 Elwin Rows vner Signature: Hands	Parcel #: 20122113 Date: 12-19-19
Ap	plicant Signature:	Date: